

Applicant : Ana Gabriela Anaya  
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proper protocol for the relevant options exchange. (Wilson, Col 6, lines 61-67; Col 7, lines 1-7)

While, Wilson translates confirmation from the exchange's protocol into a common protocol, Wilson fails to disclose any mechanisms for translating the received messages into market event messages having a common format. Wilson also fails to disclose receiving a plurality of incoming messages having market event data from a data feed line, the messages comprising market source data messages and newswire messages.

The examiner admits that:

Wilson does not disclose: attaching timing data to the received message, including time extracted from the received message, and a stamp indicating receipt time at the receiver object and other data; activating a function to translate received message into market event data; receiving in an object or activation of objects to perform recited functions - i.e. the use of object oriented language (as now claimed in claims 44, 53, and 55); a stamp indicating a receipt time at the receiver function; time comparison of messages as recited in claims 45, 54, and 56; sequence number registration or updating; validation of market event data further including with: gap data, duplicate message discarding/tracking; and, fields within a market event object format.

The examiner relies on Zusman et al to disclose "Zusman et al discloses translating a portion of messages into messages having a common format (col 6, lines 26-31)." The examiner contends that "It would have been obvious to one with ordinary skill in the art to translate a portion of received messages into market event messages having a common format to Wilson because of what is taught by Kampe et al and Zusman et al."

Applicant contends that Zusman fails to disclose messages comprising market source data messages and newswire messages and translating the received messages into market event messages having a common format, the market event messages including market activity data and time data.

Zusman at col. 6 lines 26-28 discloses: "During normal operation, CTP 22 collects, validates, normalizes and enhances financial market data received from many financial exchanges throughout the world ..."

Thus, assuming that there is suggestion to combine the teachings of Zusman with Wilson, which applicant does not concede, the combined references still fail to suggest messages

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comprising market source data messages and newswire messages and translating the received messages into market event messages having a common format, the market event messages including market activity data and time data.

To motivate one of ordinary skill in the art, either the references must provide the basis for combining their teachings or there must be a cogent line of reasoning that suggests the desirability of the combination. Neither condition is present here.

Wilson deals with "a gateway for the transfer of information between financial markets and customers." As such, Wilson is merely concerned with providing a gateway that can interface customers with financial markets and transmit customer orders and confirmation between customers/brokers and the financial markets.

In contrast, claim 1 requires market source data messages and newswire messages. None of the references suggest this element.

Assuming *arguendo*, that it is suggested to combine the teachings of Zusman and Wilson, Applicant contends that such combination still does not suggest the teachings of claim 1.

Accordingly, claim 1 is allowable over the references.

Applicant's claims 2-37 are allowable at least for the reasons discussed in claim 1.

Enclosed is a \$1020 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 9/12/05

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